



34

HIGH COURT OF CHHATTISGARH AT BILASPUR**Second Appeal No. 225/2004****Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.****Appellant
(Plaintiff)**

Vijay Kumar Agrawal, S/o Shri Ram
Jeevan Agrawal, Aged about 37 years,
Occupation – Business, R/o
Dharamjaigarh, District Raigarh (C.G.).

VERSUS**Respondents**

- : 1. State of Chhattisgarh through – Collector,
Raigarh
Though in the impugned order it has been
mentioned State of Madhya Pradesh but
after the formation of new State of
Chhattisgarh, the same has been
impleaded in the present appeal.
2. Shri I.K. Deshmukh, the then Tahsildar,
Dharamjaigarh, Present Address Tahsil
Pathalgaon, District Raigarh (C.G.)
3. Shri G.N. Singh, Tahsildar Dharamjaigarh,
District Raigarh (C.G.).

SECOND APPEAL UNDER SECTION 100 OF THE CODE OF CIVIL
PROCEDURE

Present:-

Shri P. Diwakar, Senior Advocate with Shri Kunal Das, counsel for the
appellant.

Shri G.D. Vaswani, Govt. Advocate for the State/respondent No. 1

ORAL ORDER

(Passed on this 26th day of April, 2007)

Heard on I.A. No.1/2007 which is an application under Order-41
Rule-27 of C.P.C.

2. Considered and allowed. Document is taken on record.
3. It was urged by the learned senior Advocate for the appellant
that vide order dated 11.5.2005 the State Government has set aside
the order of cancellation of lease by the Additional Collector in revenue
case No.3-A/19(4)/96-97 on 20.3.1997.
4. Learned Government Advocate appearing for the State
submitted that in view of the order dated 11.5.2005 passed by the

State Government, the respondent would not press into service the finding recorded by the Courts below on the basis of the order passed by the Additional Collector, Rajnandgaon, that grant of lease by Tehsildar was null and void. In view of the submission made by the learned Government Advocate for State, learned Senior Advocate for the appellant sought permission to withdraw this appeal.

5. Prayer is not opposed.

6. Accordingly, this Second Appeal is disposed of as withdrawn.

In view of the above, M.C.P. No.589/2004 which is an application under Order-39 Rule-1&2 of C.P.C for grant of stay also stands disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge